



Benelux Issued Joint Letter about Withdrawal of “Bamboo-Melamine” Food Contact Material and Article

Belgium, Luxembourg and Netherlands (Benelux) published a joint letter in February 2021 to notify business operator shall withdraw “Bamboo-Melamine” food contact materials and articles from the EU market immediately, as the use of bamboo (or other natural constituents) in combination with polymers, such as melamine (so called “bamboo-melamine) for the manufacture of plastic food contact materials does not have an explicit authorization under article 5 “Union List” of Regulation (EU) No 10/2011 (Plastic Food Contact Regulation) which is confirmed in a note by the European Commission and Member states published in 2020. Benelux national authorities plan to reinforce market controls from second quarter of 2021.

Summary of Discussions of the Expert Working Group on Food Contact Materials

The Expert Working Group on Food Contact Materials published a note on the use and placing on the market of plastic food contact materials and articles containing ground bamboo or other similar constituents in June 2020.

According to note, investigations by member states have shown that there is an increasing number of food contact materials and articles are placed on the market that are manufactured from plastic and to which bamboo and/or other “natural” substances are added in recent years. One common example is kitchenware or tableware, such as reusable plates, bowls and coffee beakers.

The note concluded that ground bamboo, bamboo flour, and many similar substances including corn are not listed in the Union List of Authorized Substances (Union List) in Annex I to Regulation (EU) No 10/2011. Therefore, plastic food contact materials containing such unauthorized additives are not in compliance with the compositional requirements set out in the Regulation.

Therefore, business operators are responsible to ensure that plastic materials and articles comply with the requirements set in article 4 of Regulation (EU) No 10/2011. However, migration of melamine and formaldehyde have been found on a large number of occasions to be considerably above the Specific Migration Limits (SMLs) laid down in Regulation (EU) No 10/2011 leading to the recall of these products from the market.

Note: https://ec.europa.eu/food/sites/food/files/safety/docs/cs_fcm_meeting-ind_20200623.pdf

Benelux Authorities Follow Up Action

The Benelux authorities will do reinforced market controls from the second quarter of 2021. Importers wish to place “bamboo-melamine” plastics on the EU market will have to submit an authorization dossier according to Regulation (EC) No 1935/2004.

Authorizations: https://ec.europa.eu/food/safety/chemical_safety/food_contact_materials/authorisations_en

Other EU Member States

Several other EU member state authorities, such as Germany, Finland etc., have issued similar announcements on the use of food contact plastics with natural materials such as bamboo that are not in the Union List of Regulation (EU) No 10/2011.

Benelux Joint Letter: <https://www.nvwa.nl/documenten/consument/eten-drinken-roken/contactmaterialen/publicaties/benelux-statement-on-bamboo-or-other-unauthorized-additives>

How Does this Impact You? Contact Us to Discuss

If you have any comments and/or questions regarding these requirements, please contact your customer service representative.

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